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INTERNATIONAL MILITARY TRIBUNAL  
FOR THE FAR EAST

The United States of America, The Republic  
of China, The United Kingdom of Great Britain  
and Northern Ireland, The Union of Soviet  
Socialist Republics, The Commonwealth of  
Australia, Canada, The Republic of France, The  
Kingdom of the Netherlands, New Zealand, India,  
and The Commonwealth of the Philippines,

- Against -

ARAKI, Sadao; DOHIHARA, Kenji; HASHIMOTO,  
Kingoro; HATA, Shunroku; HIRANUMA, Kiichiro;  
HIROTA, Koki; HOSHINO, Naoki; ITAGAKI,  
Seishiro; KAYA, Okinori; KIDO, Koichi; KIMURA,  
Heitaro; KOISO, Kuniaki; MATSUI, Iwane;  
MATSUOKA, Yosuke; MINAMI, Jiro; MUTO, Akira;  
NAGANO, Osami; OKA, Takasumi; OKAWA, Shumei;  
OSHIMA, Hiroshi; SATO, Kenryo; SHIGEMITSU,  
Mamoru; SHIMADA, Shigetaro; SHIRATORI, Toshio;  
SUZUKI, Teiichi; TOGO, Shigenori; TOJO, Hideki;  
UMEZU, Yoshijiro,

- Accused -

Court House of the Tribunal  
War Ministry Building  
Tokyo, Japan  
Monday - 29 April, 1946

Lodging of the Indictment

Indicted for: 1. Crimes against Peace;  
2. Murder; and  
3. Conventional War Crimes  
and Crimes against  
Humanity.

1        Before:

2  
3        HON. SIR WILLIAM F. WEBB, President  
4        of the Tribunal and Member from  
5        the Commonwealth of Australia;  
6  
7        HON. E. STUART MC DOUGALL, Justice,  
8        Member from the Dominion of  
9        Canada;  
10  
11       HON. JU-...O MEI, Member from the  
12       Republic of China;  
13  
14       HON. MARIE BERNARD, Member from the  
15       Republic of France;  
16  
17       PROF. BERNARD VICTOR ... ROLING,  
18       Member from the Kingdom of the  
19       Netherlands;  
20  
21       HON. ERINA HARVEY NORTHCROFT, Justice,  
22       Member from the Dominion of New  
23       Zealand;  
24  
25       HON. I. V. ZARYANOV, Justice, Member  
26       from the Union of Soviet Social-  
27       ist Republics;  
28  
29       HON. LORD PATRICK, Member from the  
30       United Kingdom of Great Britain  
31       and Northern Ireland; and  
32  
33       HON. JOHN F. HIGGINS, Justice, Member  
34       from the United States of America.

### APPEARANCES

For the International Prosecution Section:

HON. JOSEPH B. KEENAN, Chief of Counsel,  
acting on behalf of the United States  
of America;

MR. T. C. LIU, representing Associate  
Counsel, acting on behalf of the  
Republic of China;

MR. A. S. COMYNS CARR, Associate Counsel,  
acting on behalf of the United Kingdom  
of Great Britain and Northern Ireland;

MR. S. A. GOLUNSKY, Associate Counsel,  
acting on behalf of the Union of  
Soviet Socialist Republics;

A. J. MANSFIELD, Justice, Associate Counsel,  
acting on behalf of the Commonwealth of  
Australia;

H. G. NOLAN, Brigadier, Associate Counsel,  
acting on behalf of Canada;

MR. J. GOUELOU, representing Associate Counsel,  
acting on behalf of the Republic of  
France;

MR. A. T. LAVERGE, representing Associate  
Counsel, acting on behalf of the  
Kingdom of the Netherlands;

R. H. QUILLIAM, Brigadier, Associate Counsel,  
acting on behalf of New Zealand; and

MR. PEDRO LOPEZ, Associate Counsel, acting  
on behalf of the Commonwealth of the  
Philippines.

1       For the Office of the General Secretary, IMTFE:

2                   VERN WALBRIDGE, Colonel, CAC,  
3                   General Secretary;

4                   G. W. HANLEY, Lieutenant Colonel, FA,  
5                   Executive Officer;

6                   EDWARD H. DELL,  
7                   Legal Adviser to the Secretariat; and

8                   D. S. VAN METER, Captain, QMC,  
9                   Marshal of the Court.

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Monday, 29 April, 1946

INTERNATIONAL MILITARY TRIBUNAL  
FOR THE FAR EAST  
Court House of the Tribunal  
War Ministry Building  
Tokyo, Japan

The Tribunal was convened at 1000 in Chambers, the Honorable Sir William F. Webb, President and Member from the Commonwealth of Australia, presiding.

THE PRESIDENT: Mr. Chief Prosecutor, I understand you have an application to make. You may remain seated, sir.

14 MR. KEENAN: Sir William, we have already, in  
15 accordance with the terms of the Charter, lodged the  
16 original Indictment, signed by the Prosecutors assigned  
17 to this work by the various nations; and copies in suf-  
18 ficient number have been served to the Secretariat in  
19 both the English and Japanese translations.

20 THE PRESIDENT: In sufficient number to serve  
21 all the accused?

22                   Mr. KEENAN: To serve the accused, and also  
23 copies of the Charter, in accordance with General Order  
24 20, as amended.

The Japanese translations are on the way and

1 will be lodged within an hour or two. Therefore, to  
2 act in strict accordance with the interpretation of the  
3 Charter, we have lodged with the Secretariat a brief  
4 informal application for the fixing of the date of ar-  
5 raignment. It has already been given to the Secretar-  
6 iat, and it specifically asks the Court to fix the date  
7 of arraignment for the accused. That, I understand, is  
8 the reason for this meeting.

9 THE PRESIDENT: Are all the accused in  
10 custody?

11 MR. KEENAN: All are in custody. Three of  
12 them have been in the custody of the British in the  
13 Malayan area, and one of them is expected in Tokyo  
14 today. The other two are scheduled to leave on the  
15 30th of this month or the 1st of next month.

16 THE PRESIDENT: That is tomorrow or the  
17 following day. Could they not be brought by plane to  
18 Tokyo?

19 MR. KEENAN: We have already sent a plane.  
20 But, for some matters of procedure, particularly the  
21 results of arrangements with which I am not too famil-  
22 iar, there have been some communication difficulties,  
23 and we do not know exactly when they left or when they  
24 will arrive. However, they are in custody.

25 THE PRESIDENT: Do you not think that there

1 should be one date of arraignment for all the accused  
2 in order to permit the last man served the full time to  
3 answer?

4 MR. KEENAN: We have been attempting for the  
5 last sixty days to have these men returned.

6 THE PRESIDENT: Could they be served today?  
7 They are not in custody in Tokyo; they are in Manila?

8 MR. KEENAN: They are in Bangkok. One is in  
9 Manila. We have had so many delays that we have never  
10 been sure that they would be here; so, we had considered  
11 proceeding and going ahead with the arraignment and,  
12 in the case of the two men, having another -- a sub-  
13 sequent arraignment or extension of time. The names  
14 of the two accused to whom I have been referring are  
15 KIMURA and ITAGAKI.

16 THE PRESIDENT: It is desirable that all  
17 plead on the same day.

18 MR. KEENAN: I understand that, but we have  
19 already had difficulties in getting them returned.

20 (At this point in the proceedings,  
21 it was determined by the Tribunal that a  
22 Court Reporter should be present to record  
23 verbatim the balance of the proceedings.)

24 MEMBER FROM DOMINION OF NEW ZEALAND: SATO is  
25 the third?

1 MR. KEENAN: SATO is here.

2 THE PRESIDENT: The others can be served.  
3 They are all in custody somewhere, so no special order  
4 is required for service on those not in custody.

5 Have you copies of the Indictment, Charter  
6 and all other documents? Are there any documents  
7 besides the Indictment and the Charter?

8 MR. KEENAN: None at this stage of the  
9 proceeding.

10 THE PRESIDENT: You have translations of the  
11 Indictment and the Charter for each accused?

12 MR. KEENAN: Yes, sir.

13 THE PRESIDENT: What time would you suggest  
14 should be fixed for arraignment -- for taking the pleas  
15 of guilty or not guilty?

16 MR. KEENAN: We feel that there would be no  
17 requirement for delay before Thursday or Friday of this  
18 week.

19 THE PRESIDENT: Friday would give them four  
20 days. Are you suggesting that three days would be  
21 sufficient?

22 MR. KEENAN: We would not object to the  
23 fourth day, Friday, so there would be no question of  
24 their being able to thoroughly examine the Indictment  
25 and of having some conferences with counsel so that

1 they could intelligently plead. We think Friday would  
2 be entirely appropriate.

3 THE PRESIDENT: I have here a paper handed to  
4 me, signed by Captain Beverly Coleman, which reads as  
5 follows. I might say that Captain Coleman came to see  
6 me this morning; and I said I would not see him but  
7 that he could, while the Tribunal is in Chambers, make  
8 application to it through the General Secretary to be  
9 admitted before the Tribunal, in Chambers, to make  
10 representations, and, apparently, he followed that.

11 Here is the communication I have received from him:

12 "In the

13 First Proceeding  
14 Before the Tribunal

## 13 APPLICATION REGARDING ABBALMENT

16 Requests

17                    "I, Captain Beverly M. Coleman, USNR, having  
18                    been appointed Chief of the Defense Division of the  
19                    Secretariat on 22 April 1946, do hereby make the follow-  
20                    requests:

21 1. That the arraignment of the accused  
22 be held not earlier than two (2)  
23 weeks after the filing of the in-  
24 dictment; and  
25  
2. That the accused be permitted to

enter pleas at the arraignment with the right secured subsequent to the arraignment of making amendments to the pleas and of making applications and motions, either specially or generally, to the indictment and the proceedings instituted thereby.

Factual Background to Requests

9                   "1. Of an anticipated legal staff of about  
10                   thirty (30) attorneys and fifteen (15) secretarial  
11                   assistants, the Defense Division now contains only six  
12                   (6) counsel and three (3) secretaries. It is estimated  
13                   that the remainder of such personnel will not be avail-  
14                   able to the Division for approximately two (2) weeks.

15                   "2. There is no effective organization of  
16 Japanese attorneys for the accused for the reason that  
17 the identity of the accused has not been known until  
18 now and for the further reason that regulations at  
19 Sugamo Prison have severely restricted communication  
20 between Japanese attorneys and the accused.

21 "3. Language barriers impede progress in  
22 interviews and conferences of American defense counsel  
23 with both the accused and Japanese counsel.

24 "4. Differences in basic legal concepts and  
25 training make difficult an early achievement of mutual

understanding between Japanese and American counsels.

Additional Explanation of Request #1

"1. One week is required to ascertain the Japanese counsel for the accused and to see to the fulfillment of the requirements of Article 9c of the Tribunal's Charter. The Defense Division proposes to execute these tasks and so relieve the Tribunal of the possible burden of appointing Japanese counsel for any accused. As soon as possible after the filing of the indictment, representatives of the Defense Division will confer with each accused and endeavor to obtain a written designation of his chief Japanese counsel. After these initial conferences, the Defense Division will communicate with the Japanese attorneys designated by the accused in order to determine whether or not they will accept the responsibilities of defense counsel. To those who do accept such responsibilities, the Defense Division is authorized through the Secretariat to issue limited passes to Sugamo Prison to enable Japanese counsel to prepare their respective cases. This will be the first occasion for most of the accused to confer with their counsel about the present proceedings. If the accused's first choice of Japanese counsel is unable to assume the duties attendant thereto, the Defense Division will begin anew the process of

1 ascertaining Japanese counsel. In the event the  
2 accused prefers to have another make the selection of  
3 counsel, appropriate communication will also be made.

4 "2. A second week is required for consider-  
5 ation and study of the indictment by both Japanese and  
6 American counsel together and the preparation of ap-  
7 propriate motions and applications. During the pro-  
8 posed first week after the return of the indictment  
9 it is planned to have three lawyers of the Defense  
10 Division attend principally to matters relating to the  
11 ascertainment of Japanese counsel; it is hoped that the  
12 other three will be able to study the indictment and  
13 hold preliminary conferences with the Japanese defense  
14 counsel in order to facilitate preparations during the  
15 second week for arraignment day.

Additional Explanation of Request #2

17 "As Request #1 sets a minimum time period  
18 needed to enable Japanese and American defense counsel  
19 to act in concert on the day of the Tribunal's first  
20 public session, it is affirmed that no complete study  
21 of the legal ramifications of the indictment is possible  
22 prior to arraignment day on only a two weeks basis. It  
23 is therefore submitted that the accused should not be  
24 prejudiced by decisions made under hurried circum-  
25 stances previous to the appointment of their individual

1 American counsel, upon whom both the accused and Japan-  
2 ese counsel will heavily rely,

3 CONCLUSION

4 "Though the above requests might appear to  
5 involve delay, it is believed that if granted, they not  
6 only will afford time necessary to the accused for a  
7 proper defense but also will expedite these proceed-  
8 ings in later stages.

9 Respectfully submitted,

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Beverly M. Coleman  
Captain, USNR  
Chief of Defense Division  
IMTFE."

29 April 1946

13 THE PRESIDENT: (Continuing) Well, I do not  
14 know whether or not the Tribunal desires to hear  
15 Captain Coleman. If they do, we will ask him to come  
16 in and give any further explanation that any Member  
17 thinks he might give. I propose to invite him to come  
18 in.

19 MR. KEENAN: I have been informed, Sir  
20 William, this was to be an ex parte application in  
21 accordance with the usual procedure with almost every  
22 nation that I know of represented on this Tribunal. I  
23 suggest that the Charter is clear and readily compre-  
24 hensible; that the Indictment itself, while voluminous,  
25 sets forth in great particular the offenses charged,

1 and they are very simple; and that what we are appear-  
2 ing for -- the arraignment -- is to determine solely  
3 the question of whether these defendants plead guilty  
4 or not guilty. I think, from our viewpoint, they will  
5 have ample time to present any motions or applications  
6 to the Court. There will be an interim, I assume, from  
7 the time of arraignment, and due consideration will be  
8 given to the time of trial. But, from the viewpoint of  
9 the various prosecutors, we feel the very simple issue  
10 should be presented at the time of the arraignment -- that  
11 is, to determine whether or not these defendants wish to  
12 stand trial or whether they wish to plead guilty.

13 THE PRESIDENT: In addition to hearing ampli-  
14 fications of these recommendations, I think we do want  
15 to be satisfied that Captain Coleman is what he repre-  
16 sents himself to be. He may have no difficulty in  
17 doing that.

18 (Whereupon, Captain Coleman and  
19 Lieutenant Deale, having been summoned, pre-  
20 sented themselves before the Tribunal.)

21 Captain Coleman, we have received your  
22 request directed to the Tribunal. You were the  
23 President of a war crimes court in Yokohama, were you  
24 not?

25 CAPTAIN COLEMAN: That is right.

1                   THE PRESIDENT: You were never associated  
2 with the defense of any Japanese?

3                   CAPTAIN COLEMAN: No, that is right.

4                   THE PRESIDENT: Will you tell us in detail  
5 how you became Chief Defense Counsel?

6                   CAPTAIN COLEMAN: I was appointed by the  
7 Secretary of the Secretariat, I understand, under in-  
8 structions of GHQ.

9                   THE PRESIDENT: But you have no authority  
10 from any Japanese, have you?

11                  CAPTAIN COLEMAN: No, sir, we have not.

12                  THE PRESIDENT: We cannot hear you unless you  
13 say you speak for an individual Japanese with his con-  
14 currence.

15                  CAPTAIN COLEMAN: Heretofore, there have been  
16 no Japanese accused. Therefore, there was no one whom  
17 I could -- no, no specific individual -- it was just a  
18 matter concerning the point of view of the over-all  
19 defense.

20                  THE PRESIDENT: You have been appointed by  
21 GHQ in anticipation of the possibility that Japanese  
22 accused will require assistance. But, actually, you do  
23 not represent any Japanese accused today.

24                  CAPTAIN COLEMAN: No.

25                  THE PRESIDENT: We have no authority to hear

1 you. Thank you.

2 (Whereupon, Captain Coleman withdrew.)

3 Yes, Mr. Keenan, even if we take this matter  
4 under consideration, still I cannot suggest it will in-  
5 volve extension of any time contemplated. The question  
6 seems to be whether it should be three or four days;  
7 and, apparently, you would not object to four days.

8 MR. KEENAN: No, I would not.

9 THE PRESIDENT: The time we give them to  
10 plead might be taken into account when we come to con-  
11 sider the time to enable them to prepare their defense.  
12 We will first hear them, of course.

13 MR. KEENAN: And, of course, we have the  
14 burden of going forward; and, we will be and are pre-  
15 pared to proceed at the time fixed by the Court when we  
16 hear from the Tribunal and have a date fixed. But, I  
17 do not believe that one day's delay between the three  
18 and four days will make a great deal of difference.  
19 That would be taken into consideration. But, the mo-  
20 ment that Indictment is served upon the defendants,  
21 each and every one will have counsel; and, at the same  
22 time he will be served, he will have handed to him a  
23 Japanese translation. It will be a considerable task  
24 to conform to the statute of this Indictment.

25 THE PRESIDENT: With regard to the

1 Indictments to be served later, should we now fix a  
2 special date for them, or should we fix one date for  
3 all and give those who are served late an opportunity  
4 to apply for a further extension in which to consider  
5 their pleas?

6 MR. KEENAN: I know of no more practical way  
7 to handle it. We are dealing with realities, with  
8 post-war conditions, and with great difficulty of  
9 travel and distances, and I cannot make a representa-  
10 tion to the Court as to when they will be here other  
11 than the information that was officially transmitted  
12 to me. We have followed it very closely. But, I  
13 think it would be profitable, with the number of de-  
14 fendants we have, to have them arraigned; and, if we  
15 have to have a second arraignment for the other two at  
16 a later date, we can meet that situation when it arises.

17 THE PRESIDENT: For the time being, it may be  
18 sufficient if we fix Friday, the 3d of May, at ten-  
19 thirty o'clock in the morning for the arraignment of  
20 all of the accused, with the intimation that, in the  
21 case of those who are not served today, we will consid-  
22 er an application for an extension of that time.

23 Now, the accused have to be notified of the  
24 date fixed for their pleas. I suggest a notice be en-  
25 dorsed on the Indictment in English and in Japanese --

1 on the Indictment and on the copy of the Indictment --  
2 and that their attention be drawn to it by the person  
3 serving it, who will be an officer of this Court -- the  
4 Marshal.

5 MR. KEENAN: Your desire of the procedure to  
6 be made is that we would furnish all necessary copies  
7 of the Indictment and Charter in both languages --

8 THE PRESIDENT: Yes.

9 MR. KEENAN: (Continuing) and the names of  
10 the defendants, and that, thereafter, the Court would  
11 proceed, through its marshal, to serve such copies upon  
12 the defendants.

13 THE PRESIDENT: I understand that it was  
14 arranged earlier. We follow that, of course. It seems  
15 to be the course in certain countries -- I deal now  
16 with the question of notice -- how would it be given.  
17 I suggest by an endorsement on the copy of the Indict-  
18 ment in English and in Japanese, stating the time and  
19 place for the plea -- that is to say, instead of serv-  
20 ing a separate notice, that it be endorsed, which is  
21 the common practice in court proceedings.

22 MR. KEENAN: It would be much simpler, from  
23 the standpoint of mechanics, if we found them to exist,  
24 to have a notice in a separate form --

25 THE PRESIDENT: Would it?

1 MR. KEENAN: (Continuing) rather than to  
2 attempt to attach it to the Indictment, because then we  
3 have the question of mimeographing copies and transla-  
4 tions, and that takes a good deal of time.

5 THE PRESIDENT: Very well. I see no objec-  
6 tion to that course if there is some difficulty in the  
7 other; so, they will be given a notice, when served  
8 with the Indictments, of the time fixed for arraign-  
9 ment. That will be signed by the General Secretary, I  
10 believe. In fact, I have already drafted it. That  
11 will be in English and Japanese.

12 Documents for the Court, Mr. Chief Prosecu-  
13 tor, are serious matters. The Court wants to be sure  
14 that each Member will have copies of all relevant doc-  
15 uments -- all documents that have to be considered.

16 MR. KEENAN: We have, of course, ample copies  
17 of the Indictments.

18 THE PRESIDENT: Enough for eleven judges --

19 MR. KEENAN: Oh, yes.

20 THE PRESIDENT: (Continuing) and perhaps a  
21 few others, in case the judges want to send copies to  
22 their respective governments?

23 MR. KEENAN: Yes, I think, by the end of the  
24 day, there can be furnished sufficient numbers -- by  
25 one o'clock -- for all of the Members of the Court, of

1 every document; and, a few hours later in the after-  
2 noon, perhaps forty or fifty or more. It will not be  
3 difficult to get those out. We have already printed a  
4 thousand copies of the Indictment in English, and we  
5 have a thousand copies of the Indictment in Japanese.  
6 We have not quite so many of the Charter, about several  
7 hundred, and we have a limited number, which will be  
8 supplemented, of the translation into Japanese of the  
9 Charter; and those are the only documents that we have  
10 intention of presenting for the time being.

11 THE PRESIDENT: Now, about copies of docu-  
12 ments tendered in the course of the hearings, Mr.  
13 Keenan, perhaps it is too early to bring it up, but it  
14 may be desirable to do so. How far are you going to  
15 assist the Secretariat in getting copies of all docu-  
16 ments which will be part of the record -- which the  
17 Court will have to consider in arriving at its conclu-  
18 sions?

19 MR. KEENAN: We have a document section, and  
20 we have a large translation pool that we have employed  
21 in the International Prosecution Section on all matters  
22 of documentation, and we would want to extend you the  
23 full facilities.

24 THE PRESIDENT: How about the accused? The  
25 accused may not be in a position to provide themselves

1 every document; and, a few hours later in the after-  
2 noon, perhaps forty or fifty or more. It will not be  
3 difficult to get those out. We have already printed a  
4 thousand copies of the Indictment in English, and we  
5 have a thousand copies of the Indictment in Japanese.  
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7 hundred, and we have a limited number, which will be  
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13 Keenan, perhaps it is too early to bring it up, but it  
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17 Court will have to consider in arriving at its conclu-  
18 sions?

19 MR. KEENAN: We have a document section, and  
20 we have a large translation pool that we have employed  
21 in the International Prosecution Section on all matters  
22 of documentation, and we would want to extend you the  
23 full facilities.

24 THE PRESIDENT: How about the accused? The  
25 accused may not be in a position to provide themselves

1 with copy of the documents. They may have documents --  
2 they will have documents of which the Court would want  
3 copies. Would you provide the Court with copies of the  
4 papers the accused want to ~~be~~ <sup>see</sup> before the Court?  
5 Would you undertake to do that? I am not suggesting --

6 MR. KEENAN: I never was certain whether that  
7 was the function of the prosecution or the secretary of  
8 the Court as set up. I will answer you at this time.  
9 We will be glad to cooperate in the fullest to do it,  
10 but I would like to have opportunity for a little re-  
11 flection before I undertake that obligation.

12 THE PRESIDENT: I am not suggesting you do  
13 one thing or the other. I am trying to ascertain how  
14 far you are going to help us to get the necessary  
15 papers -- even on the side of the defense, as well as  
16 your side -- and how far you are prepared to make  
17 copies of your documents available to the accused.

18 MR. KEENAN: We will attempt to have copies  
19 of all the documents we make, and to have them in suf-  
20 ficient number so that they can be supplied at least  
21 one for every defendant in addition to those that will  
22 be supplied formally as required by the Charter of the  
23 Court. I believe we can do that without too great a  
24 difficulty. Of course, we have at all times the prob-  
25 lem before us of finishing our preparation for the

1 presentation of this case, and we have many duties and  
2 obligations, with a still limited staff, to do that  
3 work. But, we do have facilities already enumerated,  
4 and we would be glad to undertake the furnishing of  
5 copies of all documents to the defendants -- the number  
6 of defendants that there are -- in addition to those  
7 that are supplied the Court. Quite a mechanical prob-  
8 lem, but I think we are probably in the best position  
9 to undertake to do that job.

10 THE PRESIDENT: Has any other Member any  
11 question to ask?

12 MR. KEENAN: I have the original Indictment  
13 signed by the chief of counsel and each of the Allied  
14 prosecutors, or his proxy, which Indictment I will leave  
15 with Judge Dell.

16 THE PRESIDENT: You propose to file that?

17 MR. KEENAN: Yes, that is being forwarded.

18 THE PRESIDENT: That is the original. It  
19 will be read, if required, at the arraignment?

20 MR. KEENAN: Yes.

21 (Whereupon, the document above  
22 referred to was handed to the General Sec-  
23 retary, IMTFE.)

24 MR. KEENAN: (Continuing) Mr. President,  
25 perhaps it would be in order to point out to the Court

1 at this time that there is no specific provision in  
2 the Charter for arraignment and no definition of  
3 arraignment in the Charter itself, so that might be  
4 taken into consideration in serving notice of what  
5 this process was.

6 THE PRESIDENT: Well, I think we will explain  
7 it. They will be called at that hour and place to say  
8 whether they are guilty or not guilty of the charges --  
9 guilty or not guilty. That can be put in Japanese in  
10 a way which will not be misunderstood.

11 MR. KEENAN: And, of course, I assume it will  
12 be understood that the time of their arraignment -- as  
13 we call it -- or their presence in Court, is to learn  
14 of the charges and to receive their pleas; that applica-  
15 tions will then be made to fix a date for the beginning  
16 of the taking of evidence of the trial?

17 THE PRESIDENT: Yes.

18 MR. KEENAN: If there is nothing more, then  
19 I shall ask leave to withdraw.

20 THE PRESIDENT: We direct you to serve  
21 copies of the Indictment and Charter on each of the  
22 accused forthwith, the service to be undertaken by an  
23 officer of the Court, namely, the marshal; and we fix  
24 Friday, the 3d day of May, at ten-thirty, at the  
25 Tribunal's Court House in Tokyo as the time and place

1 when the accused will plead to the charges in the  
2 Indictment.

3 (Whereupon, at 1145, an adjourn-  
4 ment was taken until Friday, 3 May, 1946,  
5 at 1030.)

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